

THE NEBRASKA LEGISLATURE'S
WEEKLY PUBLICATION

UPDATE

Senators advance HHS reorganization bill

Lawmakers advanced a proposal March 1 that would reorganize the state's Health and Human Services System.

Omaha Sen. Ernie Chambers held up **LB 296** earlier in the week until he could be assured that another Health and Human Services Committee bill dealing with the food stamp program would be advanced from committee. That bill, **LB 171**, would require the state Department of Health and Human Services to apply for and use all options and waivers available to the state under the federal food stamp program. Introduced by Gretna Sen. Gail Kopplin, LB 171 was advanced by the committee and placed on general file March 1.

HHS has not supported the implementation of the food stamp program, saying it will require the hiring of 80 new workers to manage it.

"HHS does not want a bill that would allow federal money to help hungry people," Chambers said. "If they want to play hard ball with the

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Norfolk Sen. Mike Flood, center, talks with Kearney Sen. Joel Johnson, left, and Omaha Sen. Ernie Chambers about a bill that would reorganize the Health and Human Services System.

Committee hears possible water issue solutions

Possible solutions to the state's water woes were debated in the Natural Resources Committee Feb. 28.

LB 701, introduced by Imperial Sen. Mark Christensen, would place significant reductions on the amount of water irrigators

could use.

In an amendment offered to replace the original bill, the Department of Natural Resources would calculate a net use number based on a formula intended to reduce groundwater usage.

When the net use num-

ber is negative, users would be required to reduce consumption or increase water supply in the affected basin.

Groundwater usage could be reduced by 50 to 70 percent of the water needed to raise a crop. Surface users would be re-

quired to give up 25 percent of the available water to let it flow downstream.

Christensen said the sacrifices were necessary to comply with Nebraska's water agreement with Kansas. In 1943, Nebraska signed a compact with Kansas and

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INSIDE:

• Committee Hearing Schedule • Bill that would change state song rejected • Meet Senator Wightman • Weekly Review

ISSUES UPFRONT



Appropriations

Rate equity proposal heard by Appropriations

The Appropriations Committee heard a proposal Feb. 27 that would increase compensation for providers of services for the developmentally disabled.

LB 229, sponsored by Cortland Sen. Norm Wallman, would appropriate \$643,436 in state funds and allocate \$688,730 in federal funding for additional reimbursement to providers of services for the developmentally disabled. At least 65 percent of the funding would be used to compensate frontline workers.



Sen. Norm Wallman

According to Wallman, the measure is intended to bring pay for private providers closer to that given to state employees with the same responsibilities.

The committee took no immediate action on the measure.

Childcare reimbursement adjustment proposed

The Appropriations Committee heard a proposal Feb. 27 that would change the rate levels for child care reimbursement.

Under **LB 327**, introduced by Speaker Mike Flood at the governor's request, child care reimbursement

rates would be capped at the greater of the 50th percentile of the market rate or no less than the rate for fiscal year 2006-07. The cap would be in place for the 2007-09 fiscal biennium.

Currently, the state Department of Health and Human Services Finance and Support is required by law to conduct a market rate survey for childcare every other year and adjust the reimbursement rates paid by the department to between the 60th and 75th percentiles.

The market rate survey for the adjustment required on July 1 has not yet been completed. However, an estimate of the increase was requested in the department's budget request. The requested increase was \$1.9 million in each of the next two fiscal years. The committee's preliminary budget recommendation includes the projected market rate increase. In effect, LB 327 would reduce the amount needed for child care subsidies by the requested amount for the biennium.

The committee took no immediate action on LB 327.



Sen. Mike Flood



Banking, Commerce and Insurance

Colorectal cancer coverage considered

The Banking, Commerce and Insurance Committee heard a measure Feb. 27 that would require insurance coverage for colorectal cancer examinations and lab tests for persons 50 and older by most health insurance policies and contracts.

According to Lincoln Sen. DiAnna Schimek, the sponsor of **LB 134**, the bill is intended to encourage early detection of colorectal cancer.

The committee took no immediate action on the measure.

Business and Labor

Bill would clarify unused leave benefits

Lawmakers advanced a bill Feb. 28 aimed at clarifying what benefits employees are entitled to when their employment ends.

LB 255, introduced by Tekamah Sen. Kent Rogert, was introduced in response to a recent Nebraska Supreme Court decision, *Roseland*

ISSUES UPFRONT.....

v. Strategic Staff Management. The decision requires payment of unused vacation leave upon termination.

As amended by a Business and Labor Committee amendment, the

bill would clarify that all unused paid leave earned by an employee, other than unused vacation leave, would not be payable to the employee upon his or her departure from employment unless otherwise agreed to by the employer and employee.

Rogert said the court case had caused uncertainty and left employers reevaluating their leave benefit plans.

"Consequently, many employees may not be offered plans that are as generous if this law isn't clarified," he said.

LB 255, as amended, was advanced to select file by a 34-0 vote.



Sen. Kent Rogert

both songs. He said comments from people who support changing to the new song prompted him to bring the bill to get people talking.

"It has captured the hearts of many people who have heard it," he said.

Ten Bensel said she wrote the song while horseback riding and "thinking about all the great things in this state."

She sent the song to some friends, and through a series of e-mail forwards, it gained fans throughout Nebraska and among former Nebraskans living in other states. Ten Bensel said she has gotten feedback from Nebraska students and soldiers in Iraq who say they love the new song.

She suggested that the committee might consider adopting more than one state song. Tennessee has five state songs, she said, while New Hampshire has eight.

Nick and Wally Fras, sons of the musician who wrote "Beautiful Nebraska," testified in opposition of adopting the new song.

Nick Fras said the Legislature went through a process lasting several years to adopt the original state song. Twenty-two entries were considered at the time, he said.

If the state needs a new song, he said, it should undertake a selection process that is fair to everyone. However, he questioned the need to change any symbols of the state.

"It would be like changing the state flag, the state bird or the state flower from one to another," he said.



Sen. Carroll Burling

Wally Fras explained to the committee that his father was an immigrant from Russia.

"This is a song from the heart of a man coming from behind the Iron Curtain," he said.

Some things just shouldn't be changed, he said.

"Nothing in life is permanent, but if we work at it, we can preserve some traditions," Fras said.

The bill was killed on a 6-0 vote.

Fund for drug task forces proposed

The General Affairs Committee heard testimony Feb. 26 on a bill proposing a constitutional amendment that would change the distribution of lottery proceeds to fund drug task forces.

LR 11CA, introduced by Norfolk Sen. Mike Flood, would transfer 3 percent of lottery proceeds currently allocated to the Nebraska Environmental Trust Fund to the Nebraska Commission on Law Enforcement and Criminal Justice, leaving the environmental trust fund allocation at 41.5 percent.

State lottery funds are allocated by the state constitution, so if the resolution is passed by the Legislature, it will be placed on the ballot for voters' approval.

If approved, the lottery funds would be directed to a new fund that would provide grants for local efforts to enforce laws that deal with drug offenses, violent crime and serious offenders.

Flood said the funds would continue to provide for several drug task forces across the state that were started 20 years ago with federal funds. That funding is unlikely to continue, he said, which would likely end the task force program if state funds do not take up the slack.

General Affairs

Proposed state song rejected

While several members of the General Affairs Committee enjoyed Ginger ten Bensel's song "I Love Nebraska," they unanimously rejected making it the state song.

The committee heard testimony Feb. 26 on **LB 345**, which proposed to replace the state song "Beautiful Nebraska" with the more contemporary homage.

The current song, written by Jim Fras, was declared the state song in 1967 for Nebraska's 100th anniversary.

Kenesaw Sen. Carroll Burling, the bill's introducer, said he likes

ISSUES UPFRONT.....

“If we don’t do this, we will be setting law enforcement back 20 years,” he said.

Federal funding for the program was discontinued last year, so Flood introduced a bill in 2006 that successfully appropriated state general funds to keep the program going for one year. LR 11CA is an attempt to provide a more permanent funding source, he said.

Redirecting the funds from the environmental trust fund was appropriate, he said, because the task force is responsible for methamphetamine cleanup, which is a costly environmental issue.

Flood estimated that the bill would provide an additional \$775,000 for law enforcement.

Lancaster County Attorney Gary Lacey said the federal funds have been distributed among the states according to population. Nebraska was receiving approximately \$3 million annually for seven or eight task forces comprising almost every county in the state.

The drug task forces organize local police, the State Patrol, the FBI, the U.S. attorney’s office and others to cooperate with each other, he said.

“Without this cooperation, it’s just one small police department, and another separate small police department” left to fight the making and transportation of illegal drugs, Lacey explained.

This cooperation allows drug traffickers to be charged with more serious violations resulting in longer jail times, when they would otherwise be arrested and released for lesser charges at the local level, he said.

Mark Brohman, executive director for the Nebraska Environmental Trust, opposed the resolution, saying the state lottery funds are

not a completely secure source of funding. The amount changes with the popularity of the lottery, he said, and if it were to lose popularity or be removed by the Legislature, funds would no longer be available.

“It’s definitely not a funding source you can hang your hat on for the next 10 or 20 years,” he said. “This is a noble purpose, but it is something that should be paid for by the general fund.”

Brohman said the task forces could submit grant requests for meth lab cleanup to the trust for consideration among its other environmental projects. However, these grants would not cover the task forces’ personnel and equipment expenses, he said.

Rob Schupback of Lincoln provided neutral testimony. He supported the continuation of the task forces, but he questioned the likelihood that voters would support the resolution to direct funds to them.

“If voters don’t support it, then what?” he asked.

A constitutional amendment should not be necessary for something as important as drug law enforcement, Schupbach said. Rather, the state’s general fund should cover it, he said.

“That’s what you’re paying for with your taxes already,” he said.

The committee took no immediate action on the proposal.

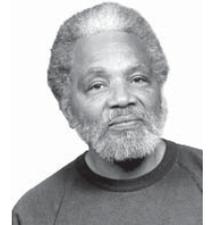
Government, Military and Veterans Affairs

Bill would change political accountability and disclosure

Senators gave first round approval Feb. 27 to a bill that would

remove the responsibility of criminal prosecution from the Accountability and Disclosure Commission.

LB 464, sponsored by Omaha Sen. Ernie Chambers, would grant criminal enforcement of the state’s



Sen. Ernie Chambers

accountability and disclosure laws to the attorney general with county attorneys having shared jurisdiction.

“That is where the experience, the knowledge and the understanding is,” Chambers said of the attorney general.

Under the bill, if the commission believes criminal prosecution may be warranted, it would refer the matter to the attorney general.

The bill was advanced to select file on a 33-0 vote.

Public employee insurance cap rejected

The Government, Military and Veterans Affairs Committee killed a bill Feb. 28 that would have reduced the public share of health insurance premiums for public employees.

Currently, state employees pay 21 percent of the cost of their health insurance premiums, should they choose to participate in the benefit program.

LB 477, sponsored by Sen. John Wightman of Lexington, would have gradually reduced the percentage of public employee health insurance paid by the state from the current requirement of 79 percent to 75 percent by 2011.

The bill also would have reduced state aid to local political subdivisions – including cities, counties and

ISSUES UPFRONT.....

school districts – that pay for health insurance benefits in excess of the percentage offered under the state employees' plan.



Sen. John Wightman

Wightman said he has become concerned about the rising cost of health insurance plans as a result of his service on the Appropriations Committee.

"We cannot sustain the growth of health insurance costs for employees and meet any other goals in state government in a meaningful way," he said.

Local government has done little to address the issue, he said. LB 477 would put pressure on local entities not to fund benefit programs at levels greater than at the state level, he said.

Mike Marvin, representing the state employee's bargaining unit, said the existing health insurance benefit package for state employees is in line with that offered in other states.

Saying that health care cost containment is the issue, LB 477 would not address rising premium costs, he said.

"It simply shifts more of the costs to the employees," Marvin said.

Brian Mikkelsen of the Nebraska State Education Association said the level of health insurance benefits offered to school employees is a matter settled through the negotiation process.

"A lot of times it varies based on the needs of that school, that community," he said.

The committee voted unanimously to indefinitely postpone LB 477.

Judiciary

Bills would add court judges

The Judiciary Committee heard testimony Feb. 28 on four bills that would increase the number of county, district and juvenile court judges in the state.

Malcolm Sen. Carol Hudkins introduced three bills on the issue.

LB 36 would increase the number of 3rd Judicial District county court judges from six to seven and 4th Judicial District county court judges from 12 to 14. The 3rd District covers Lancaster County, while the 4th District covers Douglas County.

LB 37 would increase the number of 4th District court judges from 16 to 17. The number of 2nd District court judges would increase from four to five. The 2nd District comprises Sarpy, Cass and Otoe counties.

Likewise, **LB 38** would increase from three to four the number of juvenile court judges that are designated for counties with populations between 200,000 and 400,000.

LB 377, introduced by Omaha Sen. Brad Ashford, would increase the number of 9th District court judges from three to four. The 9th District covers Buffalo and Hall counties.

The committee took no immediate action on the bills.



Sen. Carol Hudkins



Sen. Brad Ashford

Transportation and Telecommunications

Repeal of federal driver's license standards sought

The Transportation and Telecommunications Committee considered a resolution Feb. 26 that would call on Congress to reverse course on federal standards for driver's licenses.

In May 2005, Congress passed the REAL ID Act, a law that requires certain state standards and procedures for issuing driver's licenses and identification cards in order for them to be accepted by the federal government as official identity documents. The REAL ID Act is scheduled to go into effect on May 11, 2008.

LR 28, introduced by Valentine Sen. Deb Fischer, would formally request that Congress repeal the REAL ID Act.

According to Fischer, the REAL ID Act will require changes to the nation's 240 million existing driver's licenses and IDs and would alter the business practices of state motor vehicle agencies. The Nebraska Department of Motor Vehicles has estimated that implementing the REAL ID Act will cost the state \$26 million.

The committee took no immediate action on LR 28.



Sen. Deb Fischer

A CLOSER LOOK.....

Senators advance HHS reorganization bill

(CONTINUED FROM FRONT PAGE)

poor and the hungry, they're on the fighting side of me."

As amended, LB 296 would reorganize the current HHS system into a single department under a chief executive officer who would oversee six separate divisions. Those divisions would be divided by services for public health, Medicaid, children and family services, behavioral health, developmental disabilities and veterans' homes.

Appointees to the CEO and six division director positions would be made by the governor and would require confirmation by the Legislature.

Chris Peterson, the current HHS policy secretary, has been named the governor's appointee for the CEO position.

Kearney Sen. Joel Johnson said the bill, introduced at the governor's request, was the final step of a 10-year process to reorganize the HHS system.



Sen. Joel Johnson

The previous structural change for the agency, made in 1996, merged five existing departments into three: the state Department of Health and Human Services, the state Department of HHS Finance and Support, and the state Department of HHS Regulation and Licensure.

Senators had voiced concerns in earlier debate that the bill does not provide the broader cultural changes necessary to make the department

more efficient and responsive to the public's needs. Many also shared Chambers' disappointment that HHS did not support the food stamp program.

Omaha Sen. Gwen Howard disagreed with HHS's assessment of the need for 80 more workers to implement the program.



Sen. Gwen Howard

She said the department typically has workers take on more than the required case load, and therefore, "far fewer workers would be necessary."

"When we have people in the state who need food. . . we are shirking our responsibility as a body to hold HHS accountable," Howard said.



Sen. Danielle Nantkes

Sen. Danielle Nantkes of Lincoln said the Legislature should ensure that HHS pursues all federal funds available to it. She called the department's rejection of the food stamp program "exhibit A" that there is need for an overarching cultural change in the department.

"It is turning its back on literally millions of dollars in federal funds," she said.

Nantkes gave other examples of inefficiencies, such as the "over-burdensome" 25-page application

for food stamps, for which assistance is provided only during regular business hours, when applicants would have to take time off of work. Instead of focusing on "boxes and lines on a chart," she urged lawmakers to focus on the nearly 63,000 Nebraska children who are living at or below the poverty line.

"Where is the mission, where is the strategy in this legislation to address these critical problems?" she asked.

Scottsbluff Sen. John Harms said the reorganization proposal will do nothing to improve the department's services.

"We're spending millions of dollars without even understanding or knowing where the efficiencies are," he said.



Sen. John Harms

Harms said he supported holding up the bill to consider ways to improve the department and urged other lawmakers to do the same.

"This is the time for us to make these corrections, because, quite frankly, it's an embarrassment," Harms said.

Johnson said other concerns could continue to be addressed in future sessions.

"This does not mean that we will not have to come back later and make changes to improve our system," he said.

The bill advanced to final reading by voice vote.

A CLOSER LOOK.....

Committee hears possible water issue solutions

(CONTINUED FROM FRONT PAGE)

Colorado that required the three states to share the water supply in the Republican River Basin. It is estimated that Nebraska could be 200,000 acre-feet short of the compact's requirements by the end of this year.

"If we do nothing, we'll stay out of compliance and a judge will shut us off," Christensen told the committee. "That would have disastrous effects."

Steve Smith of WaterClaim, an irrigator advocacy group, said that while he understood the bill would require irrigators to make some painful changes, they would be worth it in the long run.

"We're willing to lose an arm in order to save our life," Smith said.

The law would also have allowances for individual users who engage in conservation practices, Smith said.

The bill asks for \$2.7 million for the department to comply with the law.

Sen. Tom Carlson of Holdrege

said he did not agree with the Legislature setting varying reduction percentages.

"The percentages of reduction start with 19 percent in the west and go all the way to 45 percent in the east end," Carlson said. "I cannot accept that for the people that I represent."

aimed at addressing the state's water issues.

LB 458 would create a vegetation removal program. Vegetation that has a negative impact on fully appropriated or overappropriated areas would be removed to increase stream flow.

Ann Bleed, director of the Natural

Resources Department, said the removal of new vegetation growth would conserve scarce water supplies in the Republican and Platte river basins.

Vegetation in river beds has increased since drought has plagued western Nebraska. Bleed said when water was released from the Harlan County



Imperial Sen. Mark Christensen introduced a bill that would significantly reduce the amount of water irrigators could use.

Smith said the allocations were based on state Department of Natural Resources allocation charts.

Opponents said allowing the Legislature to set reductions would take away local control.

Jerry Kuenning, a farmer from Imperial, said the natural resources districts were the "only logical structures" for regulating water use.

Carlson introduced another bill

reservoir recently, only about half the water released made it through the clogged river to Kansas.

The bill asks for \$2 million to start the program.

"There's a cost to doing this, but there's an even greater cost to not," Carlson said.

The committee took no immediate action on the bills.

MEET THE SENATORS

Wightman goes the distance in public service

Sen. John Wightman tries to go on a walk outside everyday.

Even in cold, winter months.

He said he tries to walk at least two miles and sometimes as many as seven. It's a good chance to organize his thoughts, he said.

"As you can see, it doesn't make me thin," Wightman said, with a laugh.

Even more than walking, Wightman enjoys playing with his granddaughters.

"That's my best recreational activity," he said.

Wightman has four granddaughters ranging in age from two to seven. A large, framed photo of them is the first thing he points out to visitors in his office.

Wightman graduated from Kearney State College, now the University of Nebraska at Kearney, in 1959 and was a high school teacher for one year after that. He taught all high school subjects at a small school in Dannebrog before heading to law school.

After graduating from the University of Nebraska College of Law in 1963, Wightman returned to his hometown of Lexington and began a general law practice, which today he runs with one of his sons.

Wightman and his wife, Janet, have three children, two of whom are lawyers and one who is a professor at a private college.

In addition to his law practice, Wightman served on the Lexington City Council for 20 years and the county economic development board for 10 years.

He said public service has always been an interest of his. Wightman's father served on the Overton school board.

Wightman traces the beginning of his interest to that.

"My interest then developed through school," he said. "Public policy affects everybody's life to a great extent. Creating efficiency where the public gets more for the money spent is something I'm interested in."



Lexington Sen. John Wightman holds his two-year-old granddaughter, Margaret, on his first day in the Legislature.

COMMITTEE HEARINGS

MONDAY, MARCH 5, 2007

Appropriations

Room 1524 - 1:30 p.m.

AGENCY 48 Coordinating Commission for Postsecondary Education

AGENCY 50 State College System

AGENCY 83 Community College System

Business and Labor

Room 2102 - 1:30 p.m.

LB 31 (*Nantkes*) Change minimum wage and training wage provisions

LB 175 (*Cornett*) Require employer to provide employee a reason for termination

LB 432 (*Friend*) Change the Act Prohibiting Unjust Discrimination in Employment Because of Age

LB 609 (*Carlson*) Adopt the Nebraska Recruitment Promotion Act

Education

Room 1525 - 1:30 p.m.

J. Richard Shoemaker - Nebraska Educational Telecommunications Commission

LB 193 (*Howard*) Provide for a special authorization for teachers not addressed by an existing endorsement

LB 353 (*Legislative Performance Audit Committee*) Change the Quality Education Accountability Act

LB 529 (*Nantkes*) Create a mentor teacher supplemental compensation pilot project

LB 615 (*Raikes*) Provide for a system of tracking student achievement

LB 653 (*Raikes*) Require implementation of a statewide system for assessment of student learning and for reporting

Transportation and Telecommunications

Room 1113 - 1:30 p.m.

Richard Pierce - Board of Public Roads Classifications and Standards

LB 162 (*Fischer*) Provide for an electronic lien system for certificates of title

LB 667 (*Pedersen*) Permit municipalities to allow pedestrians to solicit contributions on roadways

LB 415 (*Harms*) Change provisions relating to provisional operator's permits and other operator's licenses and permits

LB 285 (*Transportation and Telecommunications Committee*)

Authorize compliance with the driver's license provisions of the federal REAL ID Act of 2005

TUESDAY, MARCH 6, 2007

Appropriations

Room 1524 - 1:30 p.m.

LB 105 (*Louden*) Appropriate funds for the Nebraska Forest Service

LB 109 (*Agriculture*) Appropriate funds to the Board of Regents of the University of Nebraska with respect to crop insurance

LB 438 (*McDonald*) Appropriate funds to the Board of Regents of the University of Nebraska

LB 275 (*Kruse*) Change a fund transfer and appropriate funds for biomedical research

LB 483 (*Johnson*) Appropriate funds from the Nebraska Health Care Cash Fund for biomedical and autism research

AGENCY 51 University of Nebraska

AGENCY 69 Arts Council

Education

Room 1525 - 1:30 p.m.

LB 520 (*Howard*) Create the Early Childhood Education Legislative Study Group

LB 650 (*Raikes*) Change provisions relating to early childhood education and the Special Education Act

LB 651 (*Raikes*) Change and eliminate education provisions

LB 654 (*Raikes*) Transfer veterans education and training duties to the State Department of Education

LR 12CA (*Fischer*) Constitutional amendment relating to educational lands and investment of the school trust permanent portfolio

Transportation and Telecommunications

Room 1113 - 1:30 p.m.

LR 37 (*Hudkins*) Provide the Legislature supports an immediate review of ISTEA restrictions

WEDNESDAY, MARCH 7, 2007

Appropriations

Room 1003 - 1:30 p.m.

AGENCY 18 Department of Agriculture

AGENCY 31 Military Department

AGENCY 33 Game and Parks Commission

AGENCY 54 State Historical Society

Judiciary

Room 1113 - 1:30 p.m.

LB 625 (*Engel*) Prohibit civil actions based upon weight gain

LB 700 (*Christensen*) Adopt the Human Cloning Prohibition Act

LB 599 (*Aguilar*) Permit the filing of voluntary acknowledgement of parentage in cases of gestational surrogacy

LB 668 (*Hudkins*) Eliminate provisions relating to gift cards and gift certificates

LB 293 (*Pedersen*) Redefine public safety official with respect to infectious disease exposure

LB 623 (*Pirsch*) Change provisions relating to speedy trial

LB 376 (*Ashford*) Change felony complaint procedures

LB 363 (*Ashford*) Adopt the Legal Education for Public Service Loan Repayment Act

Revenue

Room 1524 - 2:30 p.m.

LB 170 (*Kopplin*) Change the tax levy authority of educational service units

LB 604 (*Raikes*) Change educational service units' taxing authority

LB 605 (*Raikes*) Change tax levy and distribution provisions relating to educational service units

LB 640 (*Raikes*) Authorize a learning community levy for certain approved capital projects

COMMITTEE HEARINGS

THURSDAY, MARCH 8, 2007

Appropriations

Room 1003 - 1:30 p.m.

LB 42 (Hudkins) Change distribution of the cigarette tax

LB 446 (Stuthman) Require Department of Roads to let contracts for the construction of a Platte River bridge and for highway improvements

AGENCY 24 Department of Motor Vehicles

AGENCY 40 Motor Vehicle Industry Licensing Board

AGENCY 17 State Aeronautics Department

AGENCY 27 Department of Roads

Judiciary

Room 1113 - 1:30 p.m.

LB 47 (Hudkins) Create the offense of interference with child visitation

LB 535 (Schimek) Create the juvenile legal services division of the Commission on Public Advocacy and eliminate a council

LB 413 (Flood) Change provisions governing children born out of wedlock and the offense of violation of custody

LB 554 (Flood) Adopt a new Parenting Act

LB 682 (Wightman) Change provisions relating to use of the Supreme Court child support guidelines

LB 76 (Hudkins) Change provisions governing physical and legal custody arrangements of a minor child

Natural Resources

Room 1525 - 1:30 p.m.

LB 704 (Preister) Adopt the Fishable and Swimmable Waters Act

LB 594 (Kopplin) Limit the granting of water well permits as prescribed (*rescheduled*)

LB 493 (Langemeier) Change provisions relating to the Water Policy Task Force (*rescheduled*)

Revenue

Room 1524 - 1:30 p.m.

LB 355 (Cornett) Change provisions relating to taxation of air carriers

LB 627 (Dierks) Redefine real property and tangible personal property for purposes of taxation

LB 688 (Karpisek) Provide for development of an income-based method of valuing agricultural land

LB 703 (Friend) Change use of the income-approach calculation in determining the assessed valuation for rent-restricted housing projects

FRIDAY, MARCH 9, 2007

Appropriations

Room 1003 - 1:30 p.m.

AGENCY 28 Department of Veterans' Affairs

AGENCY 37 Workers' Compensation Court

AGENCY 75 Investment Council

AGENCY 77 Commission of Industrial Relations

AGENCY 85 Public Employees Retirement Systems

Revenue

Room 1524 - 1:30 p.m.

LB 431 (Friend) Provide an income tax credit for certain educational expenses

LB 683 (Dubas) Increase the earned income tax credit

LB 416 (Karpisek) Exempt government retirement benefits from income tax (*rescheduled*)

LB 496 (White) Provide an income tax adjustment for extraordinary dividends (*rescheduled*)

TENTATIVE SCHEDULE

MONDAY, MARCH 12, 2007

Appropriations

Room 1524 - 1:30 p.m.

LB 420 (Erdman) Change cigarette tax distribution and create funds

AGENCY 29 Department of Natural Resources

AGENCY 52 State Fair Board

AGENCY 84 Department of Environmental Quality

AGENCY 72 Department of Economic Development

Business and Labor

Room 2102 - 1:30 p.m.

LB 88 (Business and Labor) Provide for payment of claims against the state

LB 89 (Business and Labor) Disapprove certain claims against the state

LB 495 (White) Prohibit employers from requiring use of compensated leave as prescribed

Education

Room 1525 - 1:30 p.m.

Gary Bieganski - Board of Trustees of the Nebraska State Colleges

Floyd Vrtiska - Board of Trustees of the Nebraska State Colleges

LB 375 (Raikes) Rename and change the Minority Scholarship Program Act

LB 393 (Mines) Redefine award and eligible student for purposes of the Nebraska Scholarship Act

LB 509 (Avery) Create the Scholarship Trust Fund

LB 656 (Raikes) Provide for temporary funding related to distance education

LB 657 (Raikes) Change provisions relating to distance education

TUESDAY, MARCH 13, 2007

Appropriations

Room 1524 - 1:30 p.m.

AGENCY 13 Department of Education

AGENCY 34 Library Commission

AGENCY 47 Educational Telecommunications Commission

AGENCY 58 Board of Engineers and Architects

WEDNESDAY, MARCH 14, 2007

Appropriations

Room 1003 - 1:30 p.m.

LB 574 (Kruse) Appropriate funds for capitol parking

AGENCY 19 Department of Banking and Finance

AGENCY 22 Department of Insurance

COMMITTEE HEARINGS

AGENCY 23 Department of Labor
AGENCY 67 Equal Opportunity Commission
AGENCY 87 Accountability and Disclosure Commission
AGENCY 65 Department of Administrative Services

Judiciary

Room 1113 - 1:30 p.m.

LB 522 (*Aguilar*) Change civil procedure costs and attorney's fees
LB 526 (*Aguilar*) Change civil procedure plaintiff's costs
LB 243 (*Flood*) Change provisions relating to jurors
LB 693 (*Hudkins*) Require use of driver's license numbers for preparation of juror lists
LB 382 (*Pahls*) Change provisions relating to notaries public
LB 449 (*Ashford*) Change provisions on how judicial records are proved

LB 45 (*Gay*) Change provisions relating to district court fees

Revenue

Room 1524 - 1:30 p.m.

LB 169 (*Cornett*) Exclude military retirement benefits from income taxation (*rescheduled*)
LB 183 (*Carlson*) Exclude military retirement benefits from income taxation (*rescheduled*)
LB 354 (*Cornett*) Exclude military retirement benefits from income tax (*rescheduled*)

THURSDAY, MARCH 15, 2007

Appropriations

Room 1003 - 1:30 p.m.

AGENCY 7 Governor
AGENCY 8 Lieutenant Governor
AGENCY 9 Secretary of State
AGENCY 10 Auditor of Public Accounts

AGENCY 12 State Treasurer
AGENCY 14 Public Service Commission
AGENCY 3 Legislative Council

Judiciary

Room 1113 - 1:30 p.m.

LB 540 (*Synowiecki*) Adopt the Probation and Parole Services Merger Act
LB 541 (*Synowiecki*) Provide a duty for the Community Corrections Council
LB 669 (*Hudkins*) Adopt the Nebraska Behavioral Health Jail Diversion Planning and Coordination Advisory Council Act
LB 406 (*Pedersen*) Provide for presumptive parole release dates
LB 671 (*Pedersen*) Adopt the Office of Probation and Parole Administration
LB 680 (*Pedersen*) Authorize contracts for keeping prisoners for cities of the metropolitan class

STATE CAPITOL SNAPSHOT



The statue of Abraham Lincoln on the west side of the Capitol was covered with snow after a March 1 blizzard that resulted in public hearings for that day being canceled.

WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, FEB. 26, 2007, THROUGH THURSDAY, MARCH 1, 2007

Agriculture

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
12	MINES	Change the Commercial Dog and Cat Operator Inspection Act	Placed on Select File
632	DIERKS	Change provisions relating to the national uniform system of animal identification	Placed on General File

Banking, Commerce and Insurance

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
124	BANKING	Change provisions relating to banking and finance	Advanced to Final Reading
136	FLOOD	Adopt the Nebraska Uniform Prudent Management of Institutional Funds Act	Advanced to Select File
425	PANKONIN	Create the Nebraska Operational Assistance Act	Placed on General File

Business and Labor

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
57	PREISTER	Provide for fair share representation contributions for certain labor representation by labor organizations	Placed on General File
255	ROGERT	Change the Nebraska Wage Payment and Collection Act	Advanced to Select File
462	DUBAS	Change workers' compensation provisions covering disability payments during vocational rehabilitation	Indefinitely postponed

Education

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
30	FISCHER	Provide for reorganization of certain Class I and Class VI school districts	Indefinitely postponed
192	HARMS	Adopt the Access College Early Scholarship Program Act and eliminate the Community Scholarship Foundation Program Act	Advanced to Select File
231	RAIKES	Change provisions relating to the Early Childhood Training Center	Advanced to Final Reading
234	DIERKS	Provide for reorganization of certain school districts as prescribed	Indefinitely postponed
357	FLOOD	Provide for community schools, operating councils, elementary grants, and attendance centers	Indefinitely postponed
658	RAIKES	Change provisions relating to Class I and Class VI school districts	Placed on General File

General Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
345	BURLING	Change the state song	Indefinitely postponed
441	MCDONALD	Change provisions relating to distribution of shippers' license fees	Placed on Select File

Government, Military, Veterans Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
100	ERDMAN	Provide duties to the Auditor of Public Accounts	Indefinitely postponed
172	KOPPLIN	Provide for the adoption of ordinances and resolutions by counties	Indefinitely postponed
196	SCHIMEK	Permit the Adjutant General to designate certain vehicles as military emergency vehicles	Placed on General File
208	AGUILAR	Change bond requirements for certain public building projects	Placed on General File
248	NANTKES	Provide for road improvement district elections to be conducted by mail	Advanced to Final Reading
464	CHAMBERS	Change enforcement provisions relating to the Campaign Finance Limitation Act and Nebraska Political Accountability and Disclosure Act	Placed on Select File
497	WHITE	Adopt the Family Military Leave Act	Placed on General File

WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, FEB. 26, 2007, THROUGH THURSDAY, MARCH 1, 2007

Health & Human Services

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
144	MCDONALD	Adopt the Hepatitis C Education and Prevention Act	Placed on General File
171	KOPPLIN	Require Department of Health and Human Services to apply for food stamp options and waivers	Placed on General File
203	GAY	Provide an informal conference process for disciplinary action regarding health care facilities	Placed on Select File
292	HANSEN	Provide for transfers of county funds for medicaid purposes	Placed on General File
296	JOHNSON	Reorganize the Health and Human Services System	Advanced to Final Reading
374	JOHNSON	Change repayment provisions for rural health education loans	Placed on Select File
397	JOHNSON	Adopt the In-home Personal Care Services Act	Indefinitely postponed
481	JOHNSON	Change requirements relating to criminal background checks for certain health care professionals	Placed on General File
635	DIERKS	Provide for financial compensation for caregiving family members under the Disabled Persons and Family Support Act	Withdrawn

Judiciary

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
83	SYNOWIECKI	Provide for Board of Parole recommendations relating to incarceration work camps	Advanced to Final Reading
92	CORNETT	Change provisions relating to foreign national minors	Placed on General File
132	NANTKES	Provide for revocation of a legal separation decree	Placed on General File
143	MCDONALD	Prohibit government officials from requiring a polygraph examination of a victim of a sex offense	Placed on General File
152	PANKONIN	Change insurer reporting requirements regarding professional liability claims	Placed on General File
157	STUTHMAN	Provide for leaving an infant with a firefighter or hospital staff member	Placed on General File
221	LATHROP	Change legal procedure complaint and notice provisions	Placed on General File
227	CORNETT	Change provisions governing certain offenses relating to animals	Placed on General File
335	KRUSE	Change provisions relating to civil protective custody	Placed on General File
373	SCHIMEK	Provide for inadmissibility of apologies regarding medical care as evidence	Placed on General File
465	CHAMBERS	Change provisions relating to jailhouse informants	Placed on General File
467	CHAMBERS	Grant the Ombudsman authority with respect to county jails	Placed on General File
470	CHAMBERS	Change provisions relating to dissemination of records of arrest	Placed on Select File
475	CHAMBERS	Prohibit discrimination based upon sexual orientation or marital status	Placed on General File
491	HARMS	Change provisions relating to concealed handguns	Placed on General File
586	CORNETT	Change medical lien provisions	Placed on General File
619	PIRSCH	Change provisions relating to bad debt charges by the State Treasurer	Placed on General File
620	PIRSCH	Change provisions relating to child support collection, bad debts, and the State Disbursement Unit	Placed on General File
639	RAIKES	Change powers and duties of county attorneys	Placed on General File

WEEKLY REVIEW

A REVIEW OF LEGISLATIVE ACTION TAKEN MONDAY, FEB. 26, 2007, THROUGH THURSDAY, MARCH 1, 2007

Natural Resources

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
202	LOUDEN	Change the Integrated Solid Waste Management Act	Placed on General File
295	NATURAL RESOURCES	Change provisions relating to irrigation and regulation of water and water wells	Advanced to Select File
299	HUDKINS	Change provisions relating to the Game Law	Placed on Select File
390	AGUILAR	Require certain rules and regulations related to underground storage tanks and tank operators	Advanced to Final Reading
418	ERDMAN	Change Game and Parks Commission membership provisions	Indefinitely postponed
503	MINES	Change and provide requirements for vacancies on natural resource district boards of directors	Indefinitely postponed
530	NANTKES	Change Storm Water Management Plan Program provisions	Placed on General File
568	NATURAL RESOURCES	Extend a scrap tire grant program	Placed on Select File
664	HUDKINS	Eliminate an exemption from licensure as a geologist	Placed on General File

Revenue

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
3	PAHLS	Provide a sales tax holiday for school-related purchases	Indefinitely postponed
60	AVERY	Provide a sales tax holiday for school-related purchases	Indefinitely postponed
145	MCDONALD	Require annual notices to property tax homestead exemption claimants	Advanced to Final Reading
223	REVENUE	Change tax laws	Placed on Select File
278	STUTHMAN	Change permitted uses of county sales tax revenue	Indefinitely postponed
340	WIGHTMAN	Authorize a local option income tax for school capital construction purposes	Indefinitely postponed
443	STUTHMAN	Authorize transportation development districts and authorize a local sales tax	Indefinitely postponed
487	WALLMAN	Authorize an income tax for support of schools	Indefinitely postponed
502	MINES	Change inheritance tax rates	Placed on General File
537	SCHIMEK	Authorize the collection and dissemination of motor fuel tax on land held in trust for Indian tribes	Advanced to Select File
662	HUDKINS	Change distribution of certain sales tax revenue	Indefinitely postponed

Transportation and Telecommunications

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
239	FISCHER	Update references to federal law in certain state motor vehicle statutes	Advanced to Final Reading
253	ROGERT	Adopt the Motorcycle Safety and Training Act and change motorcycle helmet provisions	Placed on General File
286	TRANSPORTATION AND TELECOMMUNICATIONS	Change the Motor Vehicle Certificate of Title Act and the Motor Vehicle Registration Act	Advanced to Select File
349	STUTHMAN	Change provisions relating to motor vehicles and trailers	Advanced to Select File
486	MCGILL	Adopt the Local Community Rail Security and Employee Education Act	Indefinitely postponed
561	FISCHER	Change provisions relating to removal of disabled or immobilized vehicles	Placed on General File
621	PIRSCH	Change provisions relating to points and fines for speeding	Placed on General File

Urban Affairs

BILL	SPONSOR	ONE-LINE DESCRIPTION	STATUS
160	CORNETT	Change fire and rescue department provisions relating to clothing, equipment, and donations	Placed on General File
347	MINES	Change provisions relating to the giving of bonds by city or village officials	Advanced to Final Reading
405	PEDERSEN	Provide for additional city council members for cities of the metropolitan class	Placed on General File
591	CORNETT	Provide for a change in zoning regulations for cities of the first class	Indefinitely postponed
592	CORNETT	Change provisions relating to sanitary and improvement districts	Indefinitely postponed

IF I COULD MAKE A LAW



Kathryn P. Kuchta, age 11, Randolph Elementary School, Randolph. "No one in Nebraska could smoke in restaurants and parks."

STUDENT ART SERIES

To commemorate the 100th Nebraska Legislature, fourth- through sixth-grade students throughout the state were invited to submit artwork depicting a law they would propose if they were a senator.

Selected entries will be published in each edition of this session's *Unicameral Update* and also will be posted on the Legislature's website at nebraskalegislature.gov/web/public/learning/makealaw.

Published entries were selected by Larry Starr, director of social science education at the state Department of Education, Karen Janovy, curator of education for the University of Nebraska-Lincoln's Sheldon Memorial Art Gallery and Heidi Uhing, civic learning coordinator for the Nebraska Legislature. The top three entries will be published in the last three issues this session.

UNICAMERAL UPDATE

The Unicameral Update is a free, weekly newsletter offered during the legislative session covering actions taken in committees and on the floor of the Legislature.

The Unicameral Update is produced by the Clerk of the Legislature's Office through the Unicameral Information Office.

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